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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,632	02/09/2006	Saleh Osman	PHUS020557	5395
65913	7590	11/08/2007		
NXP, B.V. NXP INTELLECTUAL PROPERTY DEPARTMENT M/S41-SJ 1109 MCKAY DRIVE SAN JOSE, CA 95131			EXAMINER NGUYEN, HIEU P	
			ART UNIT 2817	PAPER NUMBER
			NOTIFICATION DATE 11/08/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

Office Action Summary	Application No. 10/538,632	Applicant(s) OSMAN ET AL.	
	Examiner Hieu P. Nguyen	Art Unit 2817	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14 is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-10, 13 and 15 is/are rejected.
- 7) ☒ Claim(s) 4-6, 11, 12, 16 and 17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 February 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

Applicant is required to update the status (pending, allowed, etc.) of all parent priority applications in the first line of the specification. The status of all citations of US filed applications in the specification should also be updated where appropriate.

The specification has not been checked to the extent necessary to determine the presence to all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Drawings

Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 13 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Clark (U.S. 6,069,530).

Regarding claims 1, 13 and 15, Clark discloses (see Fig. 1-2 and related text) an amplifier circuit/method (communication system as mentioned in col. 1) comprising:

a driver stage (204) inherently having at least a first active device which receives a signal for pre-amplification and outputs a pre-amplified signal;

a phase shifter (see numeral 106 for detail) which adjusts a phase of said pre-amplified signal and outputs a phase-shifted signal;

an output stage (110) inherently having at least a second active device which receives said phase-shifted signal for further amplification and output of an amplified signal;

a detector (directional coupler 128) which is capable of measuring levels of forward signal and reflected signal of said amplified signal; and

a control circuit (136) which controls said phase shifter in response to said levels of forward signal and reflected signal to substantially maintain linearity of said amplifier circuit with load variations, **meeting claims 1, 13 and 15.**

Regarding claim 2, the circuit of Clark supports the claimed limitation of “wherein said output stage is coupled to a load without an isolation device between said output stage and said load”, **meeting claim 2.**

Regarding claim 3, the circuit of Clark supports the claimed limitation of “wherein said control circuit modifies a gain of at least one of said at least first active device and said at least second active device to substantially maintain said linearity of said amplifier circuit with said load variations”, since at least the main amplifier is receiving gain control input signal (116), **meeting claim 3.**

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark.

Regarding claims 7-10, Clark discloses the circuit in a broad sense, thus lacking to support e.g. the claimed “input matching circuit” or “inter-stage matching circuit”. However it would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to include the claimed element(s), since it is well known in the art to place the matching circuit (e.g. capacitor) at the input terminal or a between stages, **meeting claims 7-10.**

Allowable Subject Matter

Claims 4-6, 11-12 and 16-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 14 is allowed.

The following is an examiner's statement of reasons for allowance:

Claims 14 is allowed over the prior art of record. The prior art of record, considered individually or in combination, fails to fairly teach or suggest the claimed circuit comprising, among other limitations and unobvious limitations of "a control circuit which independently and selectively controls switching said phase shifter, said at least first active device, and said at least second active device as a function of said levels of forward signal and reflected signal to substantially maintain linearity of said amplifier circuit with load variations" structurally and functionally interconnected with other limitations in the manner as cited in the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mu et al. U.S. 6,424,216 discloses (see Fig. 1 and related text) an analogous circuit having the basic claimed structure e.g. a driver stage (Dr), a phase shifter (16), an output stage (PA), a detector (62/64) and a control circuit (microcontroller, M.C.).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu Nguyen whose telephone number is 571-272-8577. The examiner can normally be reached on M-F 8-5.

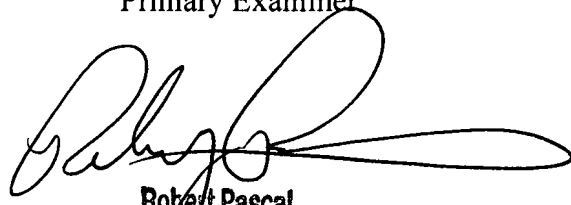
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on 571-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hieu Nguyen
AU: 2817

hn

Robert Pascal
Primary Examiner



Robert Pascal
Supervisory Patent Examiner
Technology Center 2800